

# **Town Board Minutes**

## **Meeting No. 29**

### **Special Meeting**

**August 19, 2002**

# **Town Board Minutes**

**August 19, 2002**

**Meeting No. 29**

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 19th day of August 2002, at 6:30 PM and there were

**PRESENT:**            **ROBERT GIZA, SUPERVISOR**  
                         **MARK MONTOUR, COUNCIL MEMBER**  
                         **RONALD RUFFINO, COUNCIL MEMBER**  
                         **DONNA STEMPIAK, COUNCIL MEMBER**  
                         **RICHARD ZARBO, COUNCIL MEMBER\***  
                         **REBECCA ANDERSON, PLANNING BOARD MEMBER**  
                         **JOHN GOBER, PLANNING BOARD MEMBER**  
                         **STANLEY KEYSA, PLANNING BOARD CHAIRMAN**  
                         **MICHAEL MYSZKA, PLANNING BOARD MEMBER**  
                         **STEVEN SOCHA, PLANNING BOARD MEMBER**  
                         **MELVIN SZYMANSKI, PLANNING BOARD MEMBER**

**ABSENT:**            **LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER**

**ALSO PRESENT:**   **JOHANNA COLEMAN, TOWN CLERK**  
                         **RICHARD SHERWOOD, TOWN ATTORNEY**  
                         **JEFFREY SIMME, BUILDING INSPECTOR**  
                         **ROBERT LABENSKI, TOWN ENGINEER**

\* Council Member Zarbo Arrived at 6:44 P.M.

## **PURPOSE OF MEETING:**

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of one (1) action. The project is sited on a 4.96 acre parcel; however, the State Environmental Quality Review is only being completed for the site plan which is currently on file, encompassing the frontage on Broadway. The site plan on file proposes the construction of a new 5,169 square foot brick and wood frame office building. No other construction has been proposed.

**IN THE MATTER OF THE SEQR REVIEW OF THE  
BROWN, CHIARI, CAPIZZI & FRIASCOGNA SITE PLAN**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Brown, Chiari, Capizzi & Friascogna site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

**THE FOLLOWING RESOLUTION WAS OFFERED  
BY PLANNING BOARD MEMBER GOBER  
WHO MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:**

**RESOLVED**, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION  
BROWN, CHIARI, CAPIZZI & FRIASCOGNA SITE PLAN  
NEGATIVE DECLARATION**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 4.96 acres.

The location of the premises being reviewed is situate on the south side of Broadway, east of Parkdale Drive and west of Bowen Road in the Town of Lancaster, County of Eric, New York.

## REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will not result in a physical change to the project site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will not affect surface or ground water quality or quantity.
  - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is not required; however, best management practices are required.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will not affect any threatened or endangered species.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR617.14(g) because the Town has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g).

15. The proposed action will not affect existing transportation systems.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
18. The proposed action will not affect public health and safety.
19. The proposed action will have a small to moderate affect on the character of the existing community.
  - a.) There will be a small to moderate change in the density of land use.
  - b.) During construction, there will be a small to moderate increase in employment.
20. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_

SEAL.

Robert H. Giza, Supervisor  
Town of Lancaster

August 19, 2002

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	WAS ABSENT
PLANNING BOARD MEMBER MYZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 19, 2002

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED BY  
PLANNING BOARD MEMBER GOBER, on roll call, which resulted as follows:**

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	WAS ABSENT
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES

The meeting was adjourned at 7:00 P.M.

Signed \_\_\_\_\_

Johanna M. Coleman, Town Clerk

# **Town Board Minutes**

## **Meeting No. 30**

### **Regular Meeting**

**August 19, 2002**



# **Town Board Minutes**

August 19, 2002

Meeting No. 30

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 19<sup>th</sup> day of August 2002 at 8:00 P.M. and there were

**PRESENT:** MARK MONTOUR, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
RICHARD ZARBO, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
JEFFREY SIMME, BUILDING INSPECTOR  
TERRENCE McCracken, GENERAL CREW CHIEF  
RICHARD REESE JR., HIGHWAY SUPERINTENDENT  
MARY ANN PERRELLO, DEPUTY TOWN CLERK

## **PERSONS ADDRESSING TOWN BOARD:**

Tytka, Matthew, 5994 Genesee Street, spoke to the Town Board on the following matters:

- Comments/concerns about the site plan for Lafarge North America Inc.
- Concerns about the widening of Genesee Street.

Hathaway, Hal, 713 Pavement Road, spoke to the Town Board on the following matter:

- Request resolution for Lafarge North America Inc. site plan be withdrawn.

Mc Cabe, Kevin, Representative from Lafarge North America, Inc., spoke to the Town Board on the following matter:

- Informed the Board about remedies that they will and have made to their site.

Pionessa, Paul, 6217 Genesee Street, spoke to the Town Board on the following matter:

- Indicated that he is opposed to approval of site plan for Lafarge North America Inc because of concerns about dust which migrates to his house and mud on the road.

O'Rourke, Phyllis, 84 Hawley Street, spoke to the Town Board on the following matter:

- Urges any senior citizen and any qualified resident to apply for HEAP assistance at the Senior Citizen Center between the hours of 8:30 A.M and 3:30 P.M.

**DiStefano, Anthony.** Representative from Lafarge, 6125 Genesee Street, spoke to the Town Board on the following matter:

- Comments about proposed ready mix project at Genesee Street stone quarry and existing plant on Transit Road in Cheektowaga.

**Beutler, Daniel,** 26 Tyler Street, spoke to the Town Board on the following matters:

- Comments about Lafarge mixing plant in Depew. States that the DEC claims that the air is clear.

**Brett, James,** 659 Harris Hill Road, spoke to the Town Board on the following matters:

- Comments about traffic on Walden Avenue & Transit Road.
- Comments about traffic at Pavement Road & Pleasant View Drive.

**Chowanec, Lee,** 93 Northwood Drive, spoke to the Town Board on the following matter:

- Recommends withdrawal of resolution for Lafarge North America Inc. site plan; requests a public hearing be held on this project.

**Gull, Henry,** 710 Pavement Road, spoke to the Town Board on the following matter:

- Comments about Lafarge North America Inc. site plan and requests the resolution granting approval for the project be withdrawn. States that the project is ill conceived and that he would like to see a berm.

**Howell, Gary,** 48 Park Blvd, spoke to the Town Board on the following matter:

- Recommends withdrawal of resolution for Lafarge North America Inc. site plan.

**Juszczak, Joseph,** 600 Pleasant View Drive, spoke to the Town Board on the following matter:

- Comments about various Town employees' record keeping of hours worked.

**Korez, Richard,** 4946 William Street, spoke to the Town Board on the following matter:

- Comments/concerns about Aurora Market's proposed party carnival. The Building Inspector informed all that they can not have these events.

**Kubicki, Gloria,** 15 Maple Drive, spoke to the Town Board on the following matters:

- Questions about communication from Town Attorney to Paul Donner.
- Questioned why the Town has to pay for 50% of water pump station.
- Questions regarding water pressure after Lafarge plant is operational.

**Schneggenburger, Roy,** 87 Stony Road, spoke to the Town Board on the following matters:

- Questions regarding resolution # 1 & 2.
- Requests withdrawal of resolution # 2.
- Wants a copy of letter from the petitioner withdrawing his rezone application for property located at 4014 & 4018 Walden Avenue.

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

**THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:**

**RESOLVED**, that the minutes from the Joint Meeting of the Lancaster School Board of Education and the Town Board held August 5, 2002, the Joint Meeting of the Planning Board and the Town Board held August 5, 2002 and the Regular Meeting of the Town Board held August 5, 2002 be and are hereby approved

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	ABSTAINED
SUPERVISOR GIZA	VOTED YES

August 19, 2002

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS, Lafarge North America, Incorporated, 2255 Bailey Avenue, Buffalo, New York, has submitted a revised Site Plan prepared by Glynn Geotechnical Engineering dated July 17, 2002 and received July 17, 2002 for the construction of a new ready mix concrete plant located at 6125 Genesee Street, in the Town of Lancaster, and**

**WHEREAS, the Planning Board has reviewed the plan, and at its meeting July 17, 2002, has recommended approval of this project, and**

**WHEREAS, a SEQR Review of this project was held August 5, 2002 and a negative declaration was issued at that time.**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the Town Board of the Town of Lancaster hereby approves the revised Site Plan submitted by Lafarge North America, Incorporated, prepared by Glynn Geotechnical Engineering dated July 17, 2002 and received July 17, 2002 for the construction of a new ready mix concrete plant located at 6125 Genesee Street, in the Town of Lancaster contingent on the following conditions:**

- 1) That the applicant must be willing to work with residents on any concerns that may arise regarding sight, sound, lighting or fugitive dust.
- 2) An additional berm will be constructed on the west side of the pit at the property line on Pavement Road at a height no less than existing berms on Genesee Street. That berms are to be seeded with wildflowers and planted with a combination of hardwoods and softwoods placed randomly around the sides of the berms to make appearance of berms more natural.
- 3) Final landscaping plans must be approved by the General Crew Chief, Terrance McCracken of the Department of Parks and Recreation.
- 4) Installation of a wheel wash system at the relocated scale house to be completed by the end of January 2003.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
SUPERVISOR GIZA	VOTED YES

August 19, 2002  
File: rslafarge802

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster to accept completed Public Improvements within Summerfield Farms Subdivision, Phase II(a) within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated July 31, 2002 has reported his favorable review of all necessary deeds, easements and documents required to be filed for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public Improvements within Summerfield Farms Subdivision, Phase II(a), be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 552 - Storm Sewer  
P.I.P. No. 553 - Waterline  
P.I.P. No. 554 - Pavement & Curb

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
SUPERVISOR GIZA	VOTED YES

August 19, 2002  
File: RPIP (P30)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter received August 5, 2002, has requested the addition of the following individuals to the membership roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department, the following individuals:

ADDITIONS:

David Gaiser  
106 Westwood Road  
Lancaster, New York 14086

Kory Benson  
124 Pavement Road  
Lancaster, New York 14086

Jessica Yavicoli  
321 Ransom Road  
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 19, 2002

File: RFIRE (P3)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**BE IT**

**RESOLVED**, that the following budget amendments and transfer be and are hereby approved to fund new public safety dispatch center previously approved by the Town Board for the Town of Lancaster Police Department:

<b>General Fund - Town Outside Villages Budget Amendment:</b>	<b><u>INCREASE</u></b>
Appropriated Fund Balance - Account B599	\$125,000
Budget Appropriations Account B960	\$125,000
<b>Budget Appropriation - Subsidiary Appropriation Account:</b>	
B9950.901 Interfund Transfer Out to Capital Projects Fund	\$125,000

and,

**BE IT FURTHER**

**RESOLVED**, that the following budget amendments and transfer be and are hereby approved to fund unanticipated Fire Hydrant Repair expenses and Workers' Compensation expenses for the Town of Lancaster's Volunteer Firefighters, said funding increase to be paid by a transfer from the Public Safety Impact Fee account:

<b>Special Districts - Fire Protection District Budget Amendment:</b>	<b><u>INCREASE</u></b>
Estimated Revenues - Account SF510	\$24,000
<b>Estimated Revenue - Subsidiary Revenue Account:</b>	
SF5031 - Interfund Transfer In from Public Safety Impact Fee	\$24,000
Budget Appropriations Account SF960	\$24,000
<b>Budget Appropriation - Subsidiary Appropriation Accounts:</b>	
SF3410.482 Volunteer Firefighter's W/C Insurance/Expenses	\$22,000
SF3410.483 Fire Hydrant Repairs Expenses	\$ 2,000

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 19, 2002

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS, DARYL MARTIN ARCHITECT, 3625 Eggert Road, Orchard Park, New York, has submitted a revised Site Plan prepared by Daryl Martin Architect dated May 1, 2002 and received July 16, 2002 for the construction of a 5,169 sq. ft. brick and wood frame office building for Brown, Chiari, Capizzi & Fiascogna located on the south side of Broadway, east of Parkdale Drive and west of Bowen Road in the Town of Lancaster which use is within an RCO - Residential Commercial Office Zoning District and is consistent with the permitted uses therein, and**

**WHEREAS, the Planning Board has reviewed the plan, and at its meeting June 5, 2002, has recommended approval of this project, and**

**WHEREAS, a SEQR Review of this project was held August 19, 2002 and a negative declaration was issued at that time.**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the Town Board of the Town of Lancaster hereby approves the revised Site Plan submitted by DARYL MARTIN ARCHITECT, prepared by Daryl Martin Architect dated May 1, 2002 and received July 16, 2002 for the construction of a 5,169 sq. ft. brick and wood frame office building for Brown, Chiari, Capizzi & Fiascogna located on the south side of Broadway, east of Parkdale Drive and west of Bowen Road in the Town of Lancaster.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 19, 2002



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by  
the Director of Administration and Finance, to wit:

Claim No. 15664 to Claim No. 16018 Inclusive

Total amount hereby authorized to be paid: \$1,060,015.71

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 19, 2002

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED** that the following Building Permit Applications be and are  
hereby reaffirmed:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are  
waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

**NEW PERMITS:**

9711	Drabek, Joseph	1936 Como Park Blvd	Er. Deck	(V/L)
9713	Lovejoy Builders Inc	20 Ann Marie Dr	Er. Dwlg.-Sin.	
9715	Duro-Shed Inc	60 Newberry Ln	Er. Shed	
9716	Forbes Homes	166 Nathan's Trl	Er. Dwlg.-Sin.	
9717	Kisiel, Zygmund	1137 Penora St	Er. Garage	
9718	Forbes Homes	9 Thomas Dr	Er. Dwlg.-Sin.	
9719	Moretta, Linda	1 Sagebrush Ln	Er. Fence	
9720	Frey's Olde Time Furn.	218 N Maple Dr	Er. Shed	
9721	Bob's Custom Rem.	359 Lake Ave	Er. Res. Add.	
9722	Esun, Adam	4819 William St	Er. Fence	
9723	Buffalo Pools Inc	41 Quail Run Ln	Er. Pool-Abv Grnd	
9724	Manley, John	135 Stony Rd	Er. Pool-Abv Grnd	
9725	McCloud, Charlene	39 St John St	Er. Deck	(V/L)
9726	Donato Developers	229 Nathan's Trl	Er. Dwlg.-Sin.	
9727	Fournier, John Jr	14 Old Orchard Comm	Er. Pool-Abv Grnd	
9728	Majestic Pools Inc	697 Erie St	Er. Pool-In Grnd	
9729	Majestic Pools Inc	697 Erie St	Er. Fence	
9730	SW Lewandowski, Robert	431 Ransom Rd	Er. Dwlg.-Sin.	
9731	A-Z Variety Home Imprv	101 Brunck Rd	Er. Deck	
9732	Iroquois Fence	3 Trentwood Trl	Er. Fence	
9733	Capital Fence	251 Warner Rd	Er. Fence	
9734	Hoffman, Glenn	88 Court St	Er. Res. Add.	(V/L)
9735	Mugas, John	209 Central Ave	Repl. Sewer	(V/L)
9736	Premier Fence Co	32 Woodgate Dr	Er. Fence	
9737	Ryan Homes Inc	21 Creekwood Dr	Er. Dwlg.-Sin.	
9738	Albert V. Randaccio Inc	6 Buckingham Ct	Er. Dwlg.-Sin.	
9739	Albert V. Randaccio Inc	6 Primrose Ln	Er. Dwlg.-Sin.	
9740	Rich Pools Inc	137 Nathan's Trl	Er. Pool-Abv Grnd	
9741	J Gun Enterprises Inc	7 Ryan St	Er. Pool-Abv Grnd	
9742	Lyon, J & Snajder, A	554 Hall Rd	Dem. Dwlg.	
9743	Aldrich, Thomas	96 Field Ave	Er. Res. Add.	(V/L)

9744	Cammarano, Frank	477 Central Ave	Er. Fence	
9745	Suchyna, Mark	27 Pheasant Run Ln	Er. Fence	
9746	Distinctive Decks	95 Nichter Rd	Er. Deck	
9747	Benjamin & Cristen	7 Thomas Dr	Er. Dwlg.-Sin.	
9748	Webber, Eugene	3715 Walden Ave	Er. Fence	(V/L)
9749	Ford, Arlene	44 Creekwood Dr	Er. Deck	
9750	Adamec, Joe	32 Creekwood Dr	Er. Deck	
9751	Jacobs, John	143 Belmont St	Er. Dwlg.-Sin.	
9752	Frey's Olde Time Furn.	6085 Broadway	Er. Shed	
9753	Forbes Homes Inc	10 Nottingham Ln	Er. Dwlg.-Sin.	
9754	Irish Construction	5538 Broadway	Er. Fence	(V/L)
9755	Majestic Pools Inc	196 Nathan's Trl	Er. Pool-In Grnd	
9756	Majestic Pools Inc	196 Nathan's Trl	Er. Fence	
9757	Vanini, Samuel	36 Robert Dr	Repair Sewer	(V/L)
9758	Duro-Shed Inc	26 Apple Blossom Blvd	Er. Shed	
9759	Miller, William	69 Pleasant View Dr	Er. Deck	
9760	Satola, David	120 Iroquois Ave	Er. Shed	
9761	Ludwig, Peggy	6529 Broadway	Er. Sign-Temp	
9762	Adamy, David	280 Enchanted Forest N	Er. Shed	
9763	Ferrino, Thomas	5 Grace Way	Er. Deck	
9764	Iroquois Fence	15 Lancaster Ave	Er. Fence	(V/L)
9765	Capital Fence	12 Ryan St	Er. Fence	
9766	Natalzia, William	17 Sawyer Ave	Er. Fence	(V/L)
9767	SW Hurf, John	6342 Broadway	Er. Dwlg.-Sin.	
9768	Ad A Sign Inc	6705 Transit Rd	Er. Sign-Wall	
9769	Ad A Sign Inc	6705 Transit Rd	Er. Sign	

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote  
on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 19, 2002

File:Rbldg2

## COMMUNICATIONS & REPORTS:

- 766. Town Attorney to Mr. Paul E. Donner -  
Letter of response regarding activity on South Penora Street. DISPOSITION = Received and Filed
- 767. Highway Superintendent to Chief of Police -  
Notice of temporary speed limit reduction on William Kidder Road.  
DISPOSITION = Received and Filed
- 768. Kathy Konst, Lancaster Area Chamber of Commerce to Town Clerk -  
Update on Broadway reconstruction work. DISPOSITION = Received and Filed
- 769. Town Clerk to Supervisor -  
Transmittal of monthly report for July 2002. DISPOSITION = Received and Filed
- 770. General Crew Chief to Planning Board Chairman, Planning Board Members, Council Members Montour, Ruffino, & Stempniak -  
Notice of approval from Town Forestry Department for the site plan of Brown, Chiari, Capazzi, Fiascogna Law Office. DISPOSITION = Received and Filed
- 771. Safety Coordinator to Department Heads -  
Notice of Back Safety Program. DISPOSITION = Received and Filed
- 772. NYS Office of Parks, Recreation and Historic Preservation to Supervisor -  
Notice of completion of the Draft Statewide Comprehensive Outdoor Recreation Plan and Draft Environmental Impact Statement. DISPOSITION = Received and Filed
- 773. John Stephan to Town Board -  
Notice of retirement from Highway Department. DISPOSITION = Received and Filed
- 774. Erie County Department of Public Works to Town Board -  
Notice of public informational meeting regarding reconstruction of Cemetery Road bridges. DISPOSITION = Received and Filed
- 775. Association of Erie County Governments to Town Board -  
Notice of regular meeting on August 22, 2002 at 6:00 PM. DISPOSITION = Received and Filed
- 776. Erie County Local Emergency Planning Committee to Supervisor -  
Request for participation in County's effort to increase emergency preparedness.  
DISPOSITION = Received and Filed
- 777. Donna Brehm to Supervisor & Town Board -  
Submittal of petitions of support for additional soccer fields in town.  
DISPOSITION = Received and Filed
- 778. Linguine's Italian Restaurant, Inc. to Town Clerk -  
Advisement of renewal of liquor license. DISPOSITION = Town Attorney
- 779. Town Attorney to Town Board -  
Enclosure of letter from NYS Department of Environmental Conservation regarding the Draft GEIS on the proposed Comprehensive Master Plan.  
DISPOSITION = Received and Filed
- 780. Village of Lancaster to Town Board -  
Transmittal of Official Meeting Minutes of July 8, 2002. DISPOSITION = Received and Filed
- 781. Highway Superintendent to Planning Board Chairman -  
Comments regarding Cross Creek Subdivision. DISPOSITION = Planning Committee

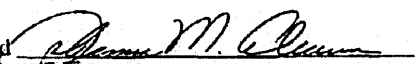
782. Town Clerk to Various News Media -  
Notice to media of SEQR review meeting, August 19, 2002 at 6:30 PM to review site plan application of Brown, Chiari, Capizzi & Friascogna. DISPOSITION = Received and Filed
783. Kelly A. Bettinger to General Crew Chief -  
Letter of appreciation for American Red Cross Swim Program. DISPOSITION = Received and Filed
784. Town Engineer to Town Board -  
Recommendation for acceptance of storm sewer, pavement and curb, and waterline for Summerfield Farms Subdivision Phase II(a). DISPOSITION = Resolution 8/19/02
785. Town Attorney to Town Board Members, Planning Board Members, Town Clerk, Building Inspector, Town Engineer -  
Notice of SEQR meeting August 19, 2002 at 6:30 PM regarding site plan of Brown, Chiari, Capizzi & Friascogna. DISPOSITION = Received and Filed
786. Town Line Volunteer Fire Department Inc. to Town Board -  
Request for change in membership roster. DISPOSITION = Resolution 8/19/02
787. Lancaster LaX Association, Inc. to Supervisor -  
Letter of appreciation for support of lacrosse program. DISPOSITION = Received and Filed
788. Calvin A. Suess, Jean C. Suess to Supervisor -  
Letter of opposition to proposed Lafarge Concrete Plant, 6125 Genesee Street. DISPOSITION = Planning Committee
789. NYS State Board of Real Property Services to Supervisor -  
Notice of State equalization rate for the 2002 Assessment Roll. DISPOSITION = Received and Filed
790. Rita M. Kral to Town Board -  
Comments and concerns regarding promotional activities at Aurora Markets. DISPOSITION = Building Inspector

**ADJOURNMENT:**

ON MOTION OF COUNCIL MEMBER STEMPIAK, AND SECONDED BY  
COUNCIL MEMBER RUFFINO, on roll call, which resulted as follows:

COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

The meeting was adjourned at 9:28 P.M.

Signed   
Johanna M. Coleman, Town Clerk